

Amendments to Senate Bill No. 79
1st Reading Copy

Requested by Senator Tom Facey

For the Senate Business, Labor, and Economic Affairs Committee

Prepared by Jameson Walker
February 17, 2015 (3:30pm)

1. Title, page 1, lines 5 through 6.

Following: "CLARIFYING THE"**Strike:** "MEANING" on line 5 through "COSTS" on line 6**Insert:** "FUNDING REQUIREMENTS"

2. Title, page 1, line 6.

Following: "LICENSING"**Insert:** "BOARDS"

3. Title, page 1, line 7.

Strike: "ALLOWING" on through "DEPARTMENT COSTS;" on line 7

4. Title, page 1, line 8.

Strike: ", 37-72-202" through "50-76-104,"

5. Page 1, line 13 through page 3, line 16.

Strike: section 1 through section 5 in their entirety**Insert:** "Section 1. Section 37-1-134, MCA, is amended to read:**"37-1-134. ~~Fees commensurate with costs~~ Boards -- costs.**

~~Each board allocated to the department shall set board fees related to the respective program area that are commensurate with costs for licensing, including fees for initial licensing, reciprocity, renewals, applications, inspections, and audits. A board may set an examination fee that must be commensurate with costs. A board that issues endorsements and licenses specialties shall set respective fees commensurate with costs. (1) Each board allocated to the department shall set board fees related to its program area that provide the amount of money usually needed for the operation of the board for services, including but not limited to licensing, reciprocity, renewals, applications, inspections, investigations, compliance, discipline, and audits. The amount needed for the operation of the board is based on the license renewal years as set by the board. In setting the fees, the board must consider the revenues and expenses incurred in the prior 5 licensing renewal years, but a board's cash balances must not exceed two times the board's annual appropriation level. Unless otherwise provided by law, the department may establish standardized administrative fees commensurate with costs.~~

~~including These fees may include, but are not limited to fees for administrative services such as license verification, duplicate~~

licenses, late penalty renewals, licensee lists, and other administrative service fees determined by the department as applicable to all boards and department programs. The department shall collect ~~administrative~~ fees on behalf of each board or department program and deposit the fees in the state special revenue fund in the appropriate account for each board or department program. Administrative service costs not related to a specific board or program area may be equitably distributed to board or program areas as determined by the department. Each board and department program shall maintain records sufficient to support the fees charged for each program area.

(2) The department and the boards shall adopt rules regarding all fees."

{ Internal References to 37-1-134:

23-3-501 [x]	27-12-206 [x]	27-12-206 [x]	37-1-101 [x]
37-1-130 [x]	37-1-130 [x]	37-7-309 [x]	37-7-309 [x]
37-24-310 [x]	37-47-306 [x]	37-53-104 [x]	37-60-202 [x]
81-1-102 [x]			

Renumber: subsequent sections

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